

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,)
Plaintiff(s),) No. C 08-2139 BZ
v.) **ORDER RE: PLAINTIFF'S
WHEATFALL #429, et al.) APPLICATION TO PROCEED IN
Defendant(s).) FORMA PAUPERIS

)**

This court received plaintiff's application to proceed in forma pauperis with his complaint. Having reviewed the application, I find that I cannot properly evaluate it due to the inclusion of conflicting or incomplete financial information. In his application, plaintiff claims to have no current income from any source and to have no cash. Nevertheless, plaintiff states that his monthly expenses total \$860.00. The statements appear to be in conflict.

For these reasons, and good cause appearing, **IT IS
HEREBY ORDERED** that by no later than **June 7, 2008**, plaintiff

1 shall either file an amended application or pay the filing
2 fee of \$350.00. Failure to take one of these actions by that
3 date may result in dismissal of this action without
4 prejudice. Any amended application should explain how
5 plaintiff supports himself and pays his monthly expenses.
6 Plaintiff is reminded that if he chooses to pay the filing
7 fee rather than amend his application, he is responsible for
8 serving his complaint and any amendments or attachments,
9 pursuant to Federal Rule of Civil Procedure 4.

10 DATED: May 7, 2008

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12 Bernard Zimmerman
13 United States Magistrate Judge

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